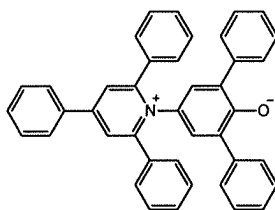


REMARKS

Currently, claims 1 and 21-36, including independent claim 1, are pending in the present application. Independent claim 1, for instance, is directed to a substrate that contains fibers. The substrate is coated with a composition that a "zwitterionic" microbe-sensitive colorant that undergoes a visually detectable color change in the presence of bacteria. "Zwitterionic" colorants are electrically neutral, yet may contain a permanent charge associated with the π -electron system. (Appl. ¶ [0069]). This allows the molecule to possess a permanent dipole even though the molecule is electrically neutral. One example of a zwitterionic colorant that may be employed in the present claims is Reichardt's dye, the structure of which is set forth below for the Examiner's convenience:



The present inventors believe that such zwitterionic colorants can provide for a greater polarity distinction between the ground and excited states of the molecule, which in turn may enhance the sensitivity of the dye. Such enhanced sensitivity may provide a variety of benefits to the detection process, such as a rapid detection time (e.g., less than about 1 minute), the ability to detect small microorganism concentrations, etc.

The Office Action rejected original independent claim 1 under 35 U.S.C § 102(b) and § 103(a) based on a variety of primary references, including U.S. Patent No. 3,496,066 to Berger, et al.; JP 11083849 to Inoue, et al.; GB 2178847 to Irish; and U.S.

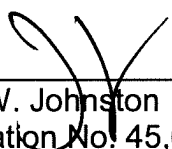
Patent No. 5,958,673 to LaClair, et al. However, these references fail to disclose the use of a fibrous substrate (e.g., nonwoven web) coated with a microbe-sensitive, zwitterionic colorant as required by independent claim 1. Thus, for at least the reasons set forth above, Applicants respectfully submit that independent claim 1 patentably defines over the cited references. Further, the dependent claims are also patentable for at least the same reasons set forth above with respect to independent claim 1. It should be noted, however, that the patentability of the dependent claims does not hinge on the patentability of independent claim 1, and that the dependent claims may be patentable for additional reasons.

It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Hobbs is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully requested,

DORITY & MANNING, P.A.



Jason W. Johnston
Registration No. 45,675
P.O. Box 1449
Greenville, SC 29602-1449
Phone: (864) 271-1592
Facsimile: (864) 233-7342

Date: 3/31/09